

INTERNATIONAL JOINT COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2008 Actual	FY 2009 Estimate	FY 2010 Request	Increase / Decrease
Positions	24	24	24	0
Funds	7,131	7,559	7,974	415

FY 2008 Actual reflects the rescission of 0.81% provided by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (P.L. 110-161, Division J).

Overview

The Boundary Waters Treaty of 1909 (BWT) established the International Joint Commission (IJC) as a cornerstone of United States – Canada relations in the boundary region. The IJC has fine-tuned a successful model for preventing and resolving disputes that is unbiased, scientifically-based, inclusive and open to public input. Under the BWT, the IJC licenses and regulates certain water resource projects along the border that affect levels and flows on the other side, provides advice to and conducts studies at the request of governments on critical issues of joint concern, and apportions waters in transboundary river systems. The IJC also alerts the governments to emerging issues that might have negative impacts on the quality or quantity of boundary waters and brings to the attention of senior officials the latest developments in science, engineering and administration that could benefit the management, security or conservation of water-related natural resources. Other treaties, agreements and conventions (often the result of IJC advice and recommendations) direct the IJC to assess progress in restoration of water quality in the Great Lakes, and, in specified transboundary basins, to respond quickly to emergency water level conditions, apportion flows and approve diversions. The IJC also assists the governments in efforts to prevent transboundary air pollution and improve air quality.

Led by three commissioners from each country, the IJC operates through small section staffs in Washington, D.C. (U.S. funded) and Ottawa, Canada (Canadian funded) and a binational Great Lakes Regional Office in Windsor, Canada (jointly funded). Currently, 20 active boards and task forces, plus various related technical working groups and committees, provide expert advice on both science and policy issues. Approximately 300 professionals from within government agencies, universities, nonprofit agencies and industry carry out this work in their personal and professional capacities and not as representatives of their respective organizations or countries.

The Boundary Waters Treaty gives the IJC the responsibility to approve applications for and oversee the operation of hydropower dams and other infrastructure projects in waters along the U.S.-Canadian border to suitably protect all interests from potential adverse effects of these projects. When the IJC approves such projects, a binational board typically is established to oversee construction and operation of the project. The board assures that treaty requirements are met and helps the IJC carry out its regulatory functions. As required, the IJC conducts studies to review the operational criteria for projects under IJC jurisdiction. In addition, the Boundary Waters Treaty provides that the U.S. and Canadian governments may refer questions or matters of difference to the IJC for examination and report. When such a “reference” is received, the IJC appoints an investigative board or task force for advice on the matters addressed in the reference. Since the establishment of the IJC, the two governments have requested, on more than 120 occasions, that the Commission review applications for projects affecting boundary waters and undertake studies, or “references,” on critical issues about which they disagree or on which they seek the advice of the IJC.

Performance

The IJC supports three of the Department’s performance goals -- close, strong and effective U.S. ties with allies, friends, partners and regional organizations; the containment or resolution of existing and emergency regional conflicts; and the development of partnerships, initiatives and implemented international treaties and agreements that protect the environment and promote efficient energy use and resource management. The IJC’s annual project agenda consists of scientific and technical studies performed at the request of the two national governments, some known in advance, others requested in the course of the fiscal year.

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In addition to its ongoing responsibilities, the IJC will continue to work in FY 2009 on references received from the governments of Canada and the United States. Public consultation meetings concerning the governments' review of the Great Lakes Water Quality Agreement are on-going. Water quality responsibilities and oversight of flood forecasting and flood operations in the Souris River basin are continuing. The IJC's reconstituted its International Souris River Board to encompass water quality as well as water quantity expertise.

A long-term program goal is to ensure the IJC's ability to address existing and emerging issues to help governments prevent and resolve disputes, such that the IJC is able to respond to references issued by the two governments, and to address issues early and, as much as possible, at the local level so that more substantive transboundary controversies are averted and the need for formal references avoided. A short-term program goal toward this end is steady progress in ensuring scientific, technical and institutional capacity. The structure of the Commission's boards and task forces is a critical component of this capacity, providing a forum for relevant agencies, academics, industry representatives, and others in both countries to bring their scientific and technical expertise to bear, to address emerging issues and to discuss these issues with the local public. In FY 2008, the IJC and its 21 boards and task forces conducted 38 public consultation meetings in communities along or near the international boundary. Also in FY 2008, 25 reports were issued under the auspices of the IJC and its boards and task forces providing information on work undertaken on the Commission's various responsibilities, information on water quality and water quantity requirements, and issues and developments in various watersheds along the boundary.

A second long-term program goal is to ensure that the operation of facilities affecting international water levels and flows remains relevant for current and anticipated conditions. A short-term goal within this context is to ensure steady progress in reviewing the IJC's decades-old international approvals in light of changed social, technical and climatic conditions.

During FY 2010, the IJC will:

- Continue to work with the U.S. and Canadian governments through the International Lake Ontario - St. Lawrence River Working Group concerning the regulation of water flows and operation of the Moses-Saunders Dam on the St. Lawrence River (New York, Ontario and Quebec);
- Continue the five-year Upper Great Lakes study, which will be in its fourth year in FY 2010. Activities will include: analyzing optimization and trade-offs among sectors for various regulation options of outflows from Lake Superior; developing adaptive management options; and conducting independent peer reviews of the scientific studies;
- Build capabilities at the watershed level to prevent and resolve disputes concerning shared waters locally through its International Watershed Initiative before they become international disputes through the IJC's International Watershed Initiative;
- Continue implementation of improved administrative measures for the apportionment of the St. Mary and Milk Rivers (Montana, Alberta, and Saskatchewan);
- Continue assistance to governments regarding Devils Lake;
- Continue the International Osoyoos Lake study, which is evaluating the regulation of flows on the lake (British Columbia and Washington);
- Hold 15th Biennial Meeting on Great Lakes Water Quality pursuant to the U.S.-Canada Great Lakes Water Quality Agreement. The Meeting will support the governments' efforts to strengthen the Great Lakes Water Quality Agreement;
- Submit 15th Biennial Great Lakes Water Quality Report under the Great Lakes Water Quality Agreement;
- As required by the U.S.-Canada Air Quality Agreement, collect and synthesize public comment on the annual report of the U.S.- Canada Air Quality Committee;
- Through an interagency agreement with the U.S. Geological Survey, support the U.S. Government's program to monitor water levels and flows in numerous boundary and transboundary rivers and to meet water apportionment requirements; and
- Continue to manage water levels and flows in the Great Lakes and other boundary waters to achieve an appropriate balance among the many significant interests dependent on or affected by water levels.

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Justification of Request

The FY 2010 request of \$7,974,000 reflects an increase of \$415,000 over the FY 2009 estimate. The requested increase provides funding for:

- 1) Wage and price increases for the operations of the IJC;
- 2) Monitoring of pathogens and parasites in the Devils Lake watershed;
- 3) Increased water monitoring by the U.S. Geological Survey and development of a new IJC records management system.

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Funds by Program Activity

(\$ in thousands)

Activities	FY 2008 Actual	FY 2009 Estimate	FY 2010 Request	Increase / Decrease
Program Expenses	7,131	7,559	7,974	415
Special & Technical Investigations by U.S. Geological Survey	608	1,284	1,105	(179)
U.S. Section	6,523	6,275	6,869	594
Total	7,131	7,559	7,974	415

Funds by Object Class

(\$ in thousands)

	FY 2008 Actual	FY 2009 Estimate	FY 2010 Request	Increase / Decrease
1100 Personnel Compensation	2,003	2,576	2,685	109
1200 Personnel Benefits	434	636	667	31
2100 Travel & Trans of Persons	337	363	404	41
2300 Rents, Comm & Utilities	124	166	178	12
2400 Printing & Reproduction	5	84	91	7
2500 Other Services	4,193	3,155	3,334	179
2600 Supplies and Materials	31	76	87	11
3100 Personal Property	4	151	155	4
4100 Grants, Subsidies & Contrb	0	352	373	21
Total	7,131	7,559	7,974	415